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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,883	12/24/2003	Isamu Ishimura	740819-001045	9336
22204	7590	08/22/2007	EXAMINER	
NIXON PEABODY, LLP 401 9TH STREET, NW SUITE 900 WASHINGTON, DC 20004-2128			LOO, JUVENA W	
			ART UNIT	PAPER NUMBER
			2609	
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			08/22/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/743,883

Applicant(s)

ISHIMURA ET AL.

Examiner

Juvena W. Loo

Art Unit

2609

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 5 - 8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5 - 8 is/are rejected.
- 7) ☒ Claim(s) 5 - 8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 12/24/2003.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

This is in response to application filed on December 24, 2003 in which claims 5 to 8 are presented for examination.

#### ***Status of Claims***

Claims 5 - 8 are pending, of which claims 5 is in independent form.

#### ***Claim Objections***

1. Claims 6 – 8 are objected to because of the following informalities: in particular, claims 6 – 8 are objected to because claims 6 – 8 are dependent on cancelled claims 1 and 2. Appropriate correction is required.
2. Claim 5 is objected to because of the following informalities: in particular, the third to last line of claim 5, “an” should be changed to “and a”. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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4. Claims 5 – 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Adams et al. (Patent Number: 5,491,531).

Regarding claim 5, Adams discloses a data exchange unit for communicating with a counterpart unit through a transmission line using, as a unit, a packet including header and data fields, the exchange unit comprising:

- a transceiver for converting electrical signals received through a transmission line into a plurality of packets (Figure 5B, 140);

- a reception filter (Figure 15, 810: the receive screening circuit) for dividing the plurality of packets received from the transceiver into a first group of packets and a second group of packets (column 30, lines 14 – 25: the receive screening circuit decides if the incoming packet is acceptable. If it is accepted, the receive screening circuit also analyzes the incoming data and control signals to generate either a SELECT MAN and SELECT AUX signals);

- a packet processor for fetching necessary information from the first group of packets (column 31, lines 43 – 47: the host processor is informed if interesting data has been received. The host processor responds by obtaining the data from one of the received first-in-first-out (FIFO) buffers);

- DMA controller for transferring the necessary information from the packet processor through a DMA bus (column 31, lines 62 - 66).

Regarding claim 6, Adams discloses all the limitations of claim 5. Additionally, Adams discloses a central processing unit for processing the second group of packets (Figure 5A, 102; column 31, lines 43 – 47: the host processor is informed if interesting data has been received. The host processor responds by obtaining the data from one of the received first-in-first-out (FIFO) buffers).

Regarding claim 7, Adams discloses all the limitations of claim 5. Additionally, Adams discloses a reception buffer for temporally storing the second group of packets from the reception filter to the central processing unit (Figure 17, 864; column 31, lines 14 – 37: the receive screening circuit decides if the incoming packet is acceptable. If it is accepted, the receive screening circuit also analyzes the incoming data and control signals to generate either a SELECT MAN and SELECT AUX signals. These signals are used to select which receive FIFO (RX MAIN or RX AUX) in the host interface will receive the data).

Regarding claim 8, Adams discloses all the limitations of claim 5. Additionally, Adams discloses a transmission reception buffer for temporally storing the first group of packets from the reception filter to the packet processor (Figure 17, 863; column 31, lines 14 – 37: the receive screening circuit decides if the incoming packet is acceptable. If it is accepted, the receive screening circuit also analyzes the incoming data and control signals to generate either a SELECT MAN and SELECT AUX signals. These signals are used to select which receive FIFO (RX MAIN or RX AUX) in the host interface will received the data).

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**Conclusion**

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Auerback (Patent Number: 5,260,942) discloses a system that uses a packet processor to group incoming packets and uses the DMA for transferring data to the host processor.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Juvena W. Loo whose telephone number is (571) 270-1974. The examiner can normally be reached on Mon.-Thurs : 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frantz Coby can be reached on (571) 272-4017. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Juvena W Loo  
Examiner  
Art Unit 2609

  
FRANTZ COBY  
SUPERVISORY PATENT EXAMINER